

Missouri Department of dnr.mo.gov **NATURAL RESOURCES**

Eric R. Greitens, Governor

Carol S. Comer, Director

May 9, 2018

Flip Short
97 R Street
Lake Lotawana, Missouri 64086

Re: Star Excavation, LLC, 70-Acre, Permit Revision Application to Remove the Condition of "No Use of Explosives" and to Extend the Time Period of Operation to 2034, The Family Ranch Reclamation Project; Section 35, Township 48N, Range 32W, Jackson County

Dear: Flip Short

On January 30, 2018, the Missouri Department of Natural Resources, Land Reclamation Program received from Star Excavation, LLC, a permit revision application to remove the condition of "No Use of Explosives" and to extend the time period of the mining operation until the year 2034 in Jackson County, Missouri. As authorized by section 444.772.10(2) RSMo: "... comments may be made by any person with a direct, personal interest in one or more of the factors the director may consider in issuing a permit..." A public meeting was held on March 28, 2018, as part of the public notice process.

The director may address environmental issues within the jurisdiction of the Department of Natural Resources such as air and water pollution concerns produced at the mine site.

The director does not have jurisdiction to address public concerns commonly raised during the review of an application for industrial mineral mining activity such as blasting, noise, or hours of operation. As staff director, I did consider all public comments in making a decision to remove or not remove the condition of "No Use of Explosives" and to extend the date of mine operation until the year 2034 as required at 444.773.1 RSMo.

Having reviewed and considered the administrative record related to the permit revision application for The Family Ranch Reclamation Project, including public comments, I have made a decision to **issue** the permit revision application to remove the condition of "No Use of Explosives" and to extend the mine operation time period until 2034 pursuant to Section 444.773 RSMo. of the Land Reclamation Act. Attachment I, which is part of this decision, is a record of public comments provided to the director as a result of the public notice permit revision application process. Attachment I, is available on the web at:
<https://dnr.mo.gov/geology/lrp/meetingcommentsresponses.htm>

This decision can be appealed to the Administrative Hearing Commission as provided by 621.250.3 RSMo: "If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent



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Flip Short
May 9, 2018
Page Two

by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission." The mailing address of the Administrative Hearing Commission is:

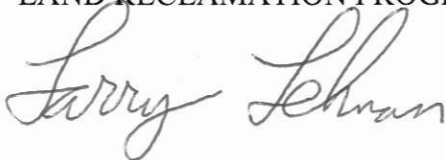
Administrative Hearing Commission
PO Box 1557
Jefferson City, MO 65102

Additional information about the Administrative Hearing Commission can be found on their web site at: <http://ahc.mo.gov/ahc/>

If you have any questions concerning the content of this letter, please contact Bill Zeaman, of my staff, by telephone at (573) 751-1312.

Sincerely,

LAND RECLAMATION PROGRAM



Larry Lehman
Staff Director

LL:bz

Enclosures: Permit Certificate

c: Star Excavation, LLC
Flip Short
801 NW Commerce Drive
Lee's Summit, MO 64086

& Ross Keeling, AGO